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District of Oregon

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Attorneys for Defendant

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**PORTLAND DIVISION**

**OREGON PRESCRIPTION DRUG  
MONITORING PROGRAM, an agency  
of the STATE OF OREGON,**

**Plaintiff,**

**Case No.: 3:12-cv-02023-HA**

**DEFENDANT'S ANSWER**

**v.**

**UNITED STATES DRUG  
ENFORCEMENT ADMINISTRATION,  
an agency of the UNITED STATES  
DEPARTMENT OF JUSTICE,**

**Defendant.**

Defendant United States Drug Enforcement Administration, by S. Amanda Marshall, United States Attorney for the District of Oregon, through Assistant United States Attorney Kevin Danielson, answers the complaint as follows:

### **Introduction**

1. In Paragraph 1, Defendant admits the allegations.
2. In Paragraph 2, Defendant admits the allegations.
3. In Paragraph 3, Defendant admits that it has previously issued administrative subpoenas under 21 U.S.C. § 876 to the Plaintiff and denies the remaining allegations.
4. In Paragraph 4, Defendant admits the allegations.
5. In Paragraph 5, Defendant admits the allegations.

### **Facts**

6. In Paragraph 6, Defendant admits the allegations.
7. In Paragraph 7, Defendant admits the allegations.
8. In Paragraph 8, Defendant admits the allegations.
9. In Paragraph 9, Defendant admits the allegations.
10. In Paragraph 10, Defendant denies the allegations.
11. In Paragraph 11, Defendant admits that U.S. Magistrate Judge Paul Papak issued an order titled “Order to Enforce DEA Administrative Subpoena” in *United States v. State of Oregon Prescription Drug Monitoring Program*, District of Oregon, Case No. 3:12-mc-00298.

### **Jurisdiction**

12. In Paragraph 12, Defendant admits the allegations.
13. In Paragraph 13, Defendant admits the allegations.
14. In Paragraph 14, Defendant admits the allegations.
15. In Paragraph 15, Defendant admits the allegations.

### **Standing**

16. In Paragraph 16, Defendant admits that Plaintiff has standing.
17. In Paragraph 17, Defendant admits that Plaintiff has standing and denies the remaining allegations.
18. In Paragraph 18, Defendant admits that this Court has the authority to declare the rights and obligations of the parties in this matter and denies the remaining allegations.

### **Prayer for Relief**

Plaintiff's Prayer for Relief should be denied.

S. AMANDA MARSHALL  
United States Attorney  
District of Oregon

/s/ Kevin Danielson  
KEVIN DANIELSON  
Assistant United States Attorney  
Attorneys for Defendants